

**IN THE COURT OF APPEALS OF IOWA**

No. 9-560 / 09-0035  
Filed August 6, 2009

**IN RE THE MARRIAGE OF JULIA ANN STURMS  
AND ROBERT LOUIS STURMS**

**Upon the Petition of  
JULIA ANN STURMS,**  
Petitioner-Appellant,

**And Concerning  
ROBERT LOUIS STURMS,**  
Respondent-Appellee.

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Appeal from the Iowa District Court for Scott County, Paul L. Macek,  
Judge.

Julia Ann Sturms appeals from the district court's denial of her petition to  
vacate or modify judgment. **AFFIRMED.**

Douglas E. Johnston, Muscatine, for appellant.

Jennie L. Clausen and Catherine Z. Cartee of Cartee & Clausen Law Firm,  
P.C., Davenport, for appellee.

Considered by Sackett, C.J., and Eisenhauer and Doyle, JJ.

**DOYLE, J.**

Julia appeals from an adverse ruling on her petition to vacate or modify judgment. Upon our review, we find the ruling of the district court to be well-reasoned and correct. We affirm the district court's ruling without opinion. Iowa R. App. P. 6.1203(a) (2009).

On appeal, Robert requests an award of appellate attorney fees. Appellate attorney fees are not a matter of right, but rest in this court's discretion. *In re Marriage of Sullins*, 715 N.W.2d 242, 255 (Iowa 2006). In arriving at our decision, we consider the parties' needs, ability to pay, and the relative merits of the appeal. *Id.* Upon consideration of these factors, we award Robert \$1000 in appellate attorney fees. Court costs are taxed to Julia.

**AFFIRMED.**